

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, December 5, 2013

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Vice-President Barbara J. McGowan, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Chairman of Finance Mariyana T. Spyropoulos, Commissioner Kari K. Steele, Commissioner Patrick D. Thompson, President Kathleen Therese Meany

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.*
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.*
- 3. Items removed from the Consent Agenda are considered separately.*
- 4. One roll call vote is taken to cover all Consent Agenda Items.*

Call Meeting to Order

President Kathleen Therese Meany presiding, called the meeting to order at 10:10 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; Kari K. Steele; Patrick D. Thompson; and Kathleen Therese Meany

Approval of Previous Board Meeting Minutes

A motion was made by Cynthia M. Santos, seconded by Frank Avila, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Cynthia M. Santos, seconded by Frank Avila, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 11:30 a.m. President Kathleen Therese Meany reconvened the regular board meeting to order

Finance Committee**Authorization**

1 [13-1486](#) Authority to add Project 11-405-3M, Coarse Screens and RSP Slide Gates Replacement, Egan Water Reclamation Plant, to the Engineering Department Capital Improvement Program and the Capital Improvements Bond Fund, estimated cost of the project is \$3,000,000.00

Approved

Procurement Committee**Report**

2 [13-1459](#) Report of bid opening of Tuesday, November 12, 2013

Published and Filed

3 [13-1460](#) Report of bid opening of Tuesday, November 19, 2013

Published and Filed

4 [13-1466](#) Report on advertisement of Request for Proposal 14-RFP-11 Pre-Employment Background Checks and Related Services, estimated cost \$70,000.00, Account 101-25000-601170, Requisition 1370456

Published and Filed

5 [13-1467](#) Report on advertisement of Request for Proposal 14-RFP-12 Analysis of Physically Demanding Job Classifications and Development of Related Job Analyses for Pre-Employment, Post-Offer and Return-to-Work Testing of Physically Demanding Job Classifications, estimated cost \$65,000.00, Account 101-25000-612260, Requisition 1370457

Published and Filed

6 [13-1506](#) Report on rejection of bid for Contract 13-055-12, Furnish and Deliver Pipe Covering and Insulation to Various Locations, for a One (1) Year Period, estimated cost \$29,000.00

Published and Filed

Authorization

7 [13-1504](#) Authorization to increase cost estimate for Contract 13-932-21 Painting Services in the Stickney Service Area, from \$1,636,000.00 to \$1,836,000.00, Accounts 201-50000-645700/645750, Requisition 1369295

Approved

8 [13-1513](#) Authorization to enter into an agreement with Adobe Systems Incorporated for Adobe Volume Licensing for Software and Software Maintenance for a three-year period

A motion was made by Frank Avila, seconded by Michael A. Alvarez, that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Debra Shore

Authority to Advertise

9 [13-1474](#) Authority to advertise Contract 14-839-11 Services to Manually Clean the TARP Bar Screens at the Calumet Water Reclamation Plant, estimated cost \$900,000.00, Accounts 101-68000-612600, Requisition 1366377

Approved

10 [13-1475](#) Authority to advertise Contract 14-821-21 Furnish, Deliver and Install Rotating Assemblies at the 95th and 125th Street Pumping Stations, estimated cost \$1,500,000.00, Account 201-50000-623270, Requisition 1368336

Approved

11 [13-1495](#) Authority to advertise Contract 14-625-11 Diving Services at Various Locations, estimated cost \$140,000.00, Account 101-66000-612490, Requisition 1366868

Approved

12 [13-1496](#) Authority to advertise Contract 14-621-11 Diagnostic Vibration Monitoring of Rotating Machinery at Various Locations, estimated cost \$90,000.00, Account 101-69000-612240, Requisition 1356611

Approved

13 [13-1497](#) Authority to advertise Contract 14-708-21 Furnish and Deliver a Sodium Carbonate Mixing, Storage and Delivery System to the Egan Water Reclamation Plant, estimated cost \$600,000.00, Account 201-50000-645650, Requisition 1370520

Approved

14 [13-1498](#) Authority to advertise Contract 14-709-11 Furnishing and Delivering Calcium Nitrate to the Kirie Water Reclamation Plant, estimated cost \$110,000.00, Account 101-66000-623560, Requisition 1367571

Approved

15 [13-1499](#) Authority to advertise Contract 14-611-11 Repairs and Alterations to Various Water Reclamation Facilities in the Stickney Service Area and Other Installations, estimated cost \$8,766,000.00, Accounts 101-67000/68000/69000-612600/612650, Requisitions 1365671, 1365687 and 1370502

Approved

16 [13-1507](#) Authority to advertise Contract 14-690-11 Beneficial Reuse of Biosolids from LASMA, CALSMA and the Egan Water Reclamation Plant, estimated cost \$23,385,000.00, Account 101-66000-612520, Requisition 1367189

Approved

Issue Purchase Order

17 [13-1465](#) Issue purchase order and enter into an agreement with Governmentjobs.com, Inc., D.B.A. NEOGOV, for Annual Maintenance and Support of the AMS 5 Enterprise Software (Sigma 5), in an amount not to exceed \$13,430.00, Account 101-27000-612820, Requisition 1370438

Approved

18 [13-1473](#) Issue purchase order and enter into an agreement with Laboratory Synergy L.L.C., to Furnish and Deliver Maintenance, Parts and Supplies for Schott Titration Systems at Various Locations, in an amount not to exceed \$42,000.00, Account 101-16000-612970, Requisition 1369989

Approved

19 [13-1478](#) Issue purchase order and enter into an agreement with Sirius Automation Inc., for Preventive Maintenance, Emergency Service and Technical Support of Automatic Weighing Stations at Various Locations, in an amount not to exceed \$147,465.00, Account 101-16000-612970, Requisition 1368261

Approved

20 [13-1480](#) Issue purchase order and enter into an agreement with Environmental Resource Associates, Inc., to Furnish and Deliver Proficiency Testing Standards, in an amount not to exceed \$20,900.00, Account 101-16000-623570, Requisition 1369657

Approved

21 [13-1481](#) Issue purchase order and enter into an agreement with Skalar, Inc., for Preventive Maintenance and Full-Service Repairs of Skalar San++ and Skalar BOD Robotic Analyzer Systems at Various Locations, in an amount not to exceed \$57,105.00, Account 101-16000-612970, Requisition 1369655

Approved

22 [13-1488](#) Issue purchase order to Mesirow Insurance Services, Inc. for Furnishing Excess Workers' Compensation Coverage and Excess Casualty Insurance Coverage for the District in an amount not to exceed \$1,244,281.00, Account 101-25000-612290, Requisition 1370485

Approved

23 [13-1502](#) Issue purchase order to CDW Government LLC., to Furnish and Deliver FireEye Web Security Appliance and Maintenance, in an amount not to exceed \$64,726.66, Accounts 101-27000-612810,612820,634820 Requisition 1369682.

Deleted by the Executive Director

24 [13-1505](#) Issue purchase order to Lexington Lion Chicago GP LLC, for maintenance and operation of the common areas of the 101/111 East Erie Street Buildings for the year 2014, in an amount not to exceed \$97,000.00, Account 101-15000-612390, Requisition 1370416

A motion was made by Debra Shore, seconded by Frank Avila, that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Michael A. Alvarez

25 [13-1509](#) Issue purchase order and enter into an agreement for Contract 13-RFP-15 A Risk Management Information System for a three-year period, with an option to extend for an additional two years, with Origami Risk L.L.C., estimated cost \$271,900.00, Accounts 201-25000-601170, 101-27000-612820, Requisition 1362622 (As Revised)

Approved

26 [13-1514](#) Issue purchase order to SHI International Corporation to Furnish and Deliver Adobe Acrobat Pro Licenses and Software Maintenance under State of Illinois Statewide Master Contract CMS4744070, in an amount not to exceed \$43,533.00, Accounts 101-27000-612820,623800, Requisition 1368954

A motion was made by Cynthia M. Santos, seconded by Frank Avila, that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Debra Shore

27 [13-1515](#) Issue purchase orders to HACH Company, to Furnish and Deliver Reagents, Chemicals, Cleaning Solutions, Lab Items, Parts and Consumables to the Egan, Kirie, O'Brien, Hanover Park and Stickney Water Reclamation Plants, in a total amount not to exceed \$72,800.00, Accounts 101-67000, 69000-623070, 623560, 623570

Approved

Award Contract

28 [13-1468](#) Authority to award Contract 13-814-11, Furnish, Deliver, and Install an Electric, 5-Ton Hoist at the Calumet Union Ditch Pumping Station, to Material Systems, Inc., in an amount not to exceed \$38,318.35, Account 101-68000-612600, Requisition 1356593

Approved

29 [13-1469](#) Authority to award Contract 10-880-3H, TARP Control Structure Rehabilitation, North Service Area, Stickney Service Area, and Calumet Service Area, to IHC Construction Companies, L.L.C., in an amount not to exceed \$14,410,000.00, plus a five (5) percent allowance for change orders in an amount of \$720,500.00, for a total amount not to exceed \$15,130,500.00, Account 401-50000-645750, Requisition 1364055

Attachments: [APP D 10-880-3H.pdf](#)

Approved

30 [13-1471](#) Authority to award Contract 11-961-22, Facility Roof Replacements and Associated Tuckpointing at the Stickney Water Reclamation Plant and the Lawndale Avenue Solids Management Area, to L. Marshall, Inc., in an amount not to exceed \$2,878,000.00, Account 201-50000-645780, Requisition 1345033

Attachments: [APP D.pdf](#)

Approved

31 [13-1472](#) Authority to award Contract 14-027-11, Furnish and Deliver Glass and Plastic Labware to Various Locations for a One (1) Year Period, Groups A and B to Fisher Scientific Company LLC, in an amount not to exceed \$46,961.44, and Group C to Crown Packaging International, Inc., in an amount not to exceed \$97,075.22, Account 101-20000-623570

Attachments: [14-027-11.pdf](#)

Approved

32 [13-1483](#) Authority to award Contract 14-041-11, Furnish and Deliver Data Storage Cartridges to Various Locations, for a One (1) Year Period, to Backupworks.com, Inc., in an amount not to exceed \$35,082.00, Account 101-20000-623810

Attachments: [14041.pdf](#)

Approved

Increase Purchase Order/Change Order

33 [13-1484](#) Authority to increase purchase order to DLT Solutions, LLC, to Furnish and Deliver Additional AutoDesk Constructware Licenses under General Services Administration (GSA) Joint Purchasing Contract GS-35F-4543G in an amount of \$12,063.72, from an amount of \$167,383.56, to an amount not to exceed \$179,447.28, Account 101-27000-623800, Purchase Order 3076933

Approved

34 [13-1487](#) Authority to decrease Contract 07-854-3M Emergency Elevator Improvements at Kirie WRP and Hanover Park WRP, to KONE, Inc. in an amount of \$3,741.74, from an amount of \$3,877,911.30, to an amount not to exceed \$3,874,169.56, Accounts 101-50000-612680, 401-50000-645680, and 645780, Purchase Order 5000787

Attachments: [CO 07-854-3M.pdf](#)

Approved

35 [13-1489](#) Authority to decrease Contract 06-218-3M Blower Nos. 9 & 10 and Air Main Installation at the Calumet Water Reclamation Plant, to Meccon Industrial, Inc., in an amount of \$205,930.00, from an amount of \$16,204,885.00, to an amount not to exceed \$15,998,955.00, Accounts 101-50000-612650, 401-50000-645650, and 645750, Purchase Order 5001024

Attachments: [CO 06-218-3M.pdf](#)

Approved

36 [13-1490](#) Authority to decrease Contract 07-168-3P Scum Concentration, Centrifuge Building, Preliminary & Imhoff Tanks, Elevator Improvements, Diffuser Plates and Trailer Replacement, Stickney Service Area, LASMA, to IHC Construction Companies, LLC in an amount of \$1,376,355.84, from an amount of \$23,352,214.82, to an amount not to exceed \$21,975,858.98, Accounts 401-50000-645750 and 645780, Purchase Order 5001198

Attachments: [CO 07-168-3P.pdf](#)

Approved

37 [13-1491](#) Authority to decrease Contract 01-198-AD Demolition of Sludge Disposal Building, Rehabilitation of P&B House & Course Screen Building at the Stickney Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$106,625.00, from an amount of \$31,314,653.89, to an amount not to exceed \$31,208,028.89, Accounts 101-50000-612680, 401-50000-645680, and 645780, Purchase Order 5000961

Attachments: [CO 01-198-AD.pdf](#)

Approved

38 [13-1492](#) Authority to decrease Contract 01-103-2S (REBID) 39th Street Conduit Rehabilitation Phase 1 - Bypass Tunnel, Stickney Service Area, to Kenny/Shea, A Joint Venture in an amount of \$1,357,128.11, from an amount of \$148,060,291.53, to an amount not to exceed \$146,703,163.42, Account 401-50000-645600, Purchase Order 5000962

Attachments: [CO 01-103-2S.pdf](#)

Approved

39 [13-1493](#) Authority to decrease Contract 96-251-2P Sludge Thickening Facilities, Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture in an amount of \$201,844.50, from an amount of \$8,659,054.19, to an amount not to exceed \$8,457,209.69, Accounts 401-50000-645650 and 645750, Purchase Order 5001108

Attachments: [CO 96-251-2P.pdf](#)

Approved

40 [13-1494](#) Authority to decrease purchase order and amend the agreement with MWH Americas, Inc., for construction engineering services in an amount of \$1,890,536.95, from an amount of \$4,500.000.00, to an amount not to exceed \$2,609,463.05, Account 401-50000-601440, Purchase Order 3027765

Approved

41 [13-1500](#) Authority to decrease Contract 10-051-3D North Shore Channel Restoration Near Main Street, to Lakes & Rivers Contracting, Inc., Terrell Materials Corporation, Joint Venture in an amount of \$342,500.00, from an amount of \$2,967,500.00, to an amount not to exceed \$2,625,000.00, Account 401-50000-645720, Purchase Order 5001309

Approved

42 [13-1508](#) Authority to increase purchase orders and to exercise the option to extend the agreements for an additional twelve (12) month period for Contract 11-RFP-14 Legal Services for Workers' Compensation Defense to Dennis Noble & Associates, P.C. in an amount of \$125,000.00, from an amount of \$120,000.00 to an amount not to exceed \$245,000.00; to Scopelitis, Garvin, Light, Hanson, & Feary, P. C. in an amount of \$62,500.00, from an amount of \$60,000.00 to an amount not to exceed \$122,500.00; and to Neuson Law, P.C in an amount of \$62,500.00, from an amount of \$120,000.00 to an amount not to exceed \$182,500.00, Account 101-25000-601170, Purchase Orders 3070865, 3070864, 3070866

Approved

43 [13-1510](#) Authority to decrease Contract 12-692-11, Utilization and Transportation of Air Dried Biosolids from LASMA and CALSMA, to Synagro Central LLC, in an amount of \$220,000.00, from an amount of \$1,669,861.00, to an amount not to exceed \$1,449,861.00, Account 101-66000-612520, Purchase Orders 5001334 and 5001335

Attachments: [12-692-11 20131114.pdf](#)

Approved

44 [13-1512](#) Authority to decrease purchase order for Contract 11-107-11 Furnish and Deliver Boat Maintenance, Repairs, Parts and Secured Dockage, to Marine Services Corporation in an amount of \$49,212.57, from an amount of \$173,275.28, to an amount not to exceed \$124,062.71, Accounts 101-16000-612330, 612790, 623990 Purchase Order 3070178

Attachments: [11-7-13 Change Order 11-107-11 -PO#3070178.pdf](#)

Approved

Budget & Employment Committee

Authorization

45 [13-1518](#) Authority to transfer 2013 departmental appropriations in the amount of \$2,193,500.00 in the Corporate Fund

Attachments: [12.05.13 Board Transfer BF5.pdf](#)

Approved

Judiciary Committee

Report

46 [13-1477](#) Report on the Settlement of Workers' Compensation Claims and Miscellaneous Claims under \$10,000.00

Attachments: [Settlements 12.5.13.pdf](#)

Published and Filed

Public Information & Education

Authorization

47 [13-1461](#) Authorization to negotiate and enter into an Intergovernmental Agreement with the Illinois State Archives for District representatives to scan historic glass plate negatives

Approved

Real Estate Development Committee

Authorization

48 [13-1462](#) Authority to execute a Termination of Deed, Easement Agreement and Declaration of Restrictive Covenants with respect to Air Lot B at 101 E. Erie Street in Chicago, IL (*Deferred from the November 21, 2013 Board Meeting*)

A motion was made by Frank Avila, seconded by Patrick D. Thompson, that this Agenda Item be Approved. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Abstain: 1 - Michael A. Alvarez

49 [13-1464](#) Authority to amend that certain permit agreement dated May 16, 2013 and issued to NeighborSpace, on approximately 212 linear feet of District real estate along the east bank of the north branch of the Chicago River south of Berteau Avenue in Chicago, Illinois, to include a contiguous 1.5 acre parcel of District real estate along the east bank of the north branch of the Chicago River between Montrose and Berteau Avenues for continued riverbank management and restoration. Consideration shall be a nominal fee of \$10.00.

Attachments: [Map.NeighborSpace Permits 223 and 338.pdf](#)

Approved

Stormwater Management Committee

Authorization**50 [13-1485](#)**

Authorization to negotiate and enter into intergovernmental agreements with the Village of Northfield and the Village of Northbrook for Contract 11-052-5F, Middle Fork and West Fork of the North Branch of the Chicago River Streambank Stabilization Projects, MF-06, MF-07, WF-03

Approved

Approval of the Consent Agenda with the exception of Items: 8, 23, 24, 26, 48, 51 and 52

A motion was made by Debra Shore, seconded by Cynthia M. Santos, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Miscellaneous and New Business**Memorial Resolution****51 [13-1463](#)**

MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Stanley Leong (As Revised)

A motion was made by Cynthia M. Santos, seconded by Mariyana T. Spyropoulos, that this Memorial Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Ordinance - User charge**52 [UC13-003](#)**

An Ordinance to Amend the User Charge Ordinance of the Metropolitan Water Reclamation District of Greater Chicago

Attachments: [12-5-13 Draft DEC2013-AmendUCO.pdf](#)
[12-5-13 Auth to Amend MWRD UCO.pdf](#)

A motion was made by Frank Avila, seconded by Barbara J. McGowan, that this User Charge Ordinance be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

Absent: 1 - Michael A. Alvarez

Meeting Summary

Speakers

Maggie Leong, wife of Stanley Leong accepted the memorial resolution extending sympathy and condolences to the family of Stanley Leong (Re: Miscellaneous and New Business Item #51)

George Blakemore, concerned citizen voiced concerns (Re: Procurement Item #22, #29 and #42)(Re: Miscellaneous and New Business Item #52)

Mr. Alan Jirik, Ingredion Inc., Ms. Karen Prena, Gelita, USA and Mr. James Kahle, Laicon, Inc., all on the Blue Ribbon Panel commended the District for a job well done on the new User Charge rates (Re: Miscellaneous and New Business Item #52)

Summary of Requests

David St. Pierre

- 1. Frank Avila requested a list on how many community meetings were held during the year (Re: Procurement Item #16)*
- 2. Debra Shore, reiterated that more information be included in the Board Transmittal Letters to provide description of work, timetable of work schedule (Re: Procurement Item #29)*
- 3. Debra Shore, requested if a document can be published summarizing the effort that went into the new User Charge rate calculations (Re: Miscellaneous and New Business Item #52)*

Study Session

None

Announcements

Public Hearing to consider the purposed 2014 Budget, December 11, 2013 at 10:00 a.m.

Special Meeting to Adopt the 2014 Budget, December 12, 2013 at. 10:00 a.m.

Board Letter Submission Dates

The next regular board meeting is scheduled for December 19, 2013, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: December 6, 2013.

Date all agenda items are due to the Executive Director: 1:00 p.m., December 11, 2013.

Adjournment

A motion was made by Mariyana T. Spyropoulos, seconded by Debra Shore, that when the Board adjourns, it adjourns to meet again on Thursday, December 19, 2013 at 10:00 a.m., and also move that today's meeting be adjourned. The motion carried by the following roll call vote:

/s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Kari K. Steele, Patrick D. Thompson, Kathleen Therese Meany

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this December 5, 2013, are hereby approved.

APPROVED:

**/s/ Kathleen Therese Meany
President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago**

December 5, 2013